

United States District Court

EASTERN DISTRICT OF TEXAS

Tyler

UNITED STATES OF AMERICA

vs.

CRAIG HECTOR RIVERA

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

CASE NUMBER: 6:03CR00083-001

ERIC ALBRITTON

Defendant's Attorney

THE DEFENDANT:

X pleaded guilty to count(s): 1 of the Indictment

pleaded nolo contendere to count(s)

which was accepted by the court.

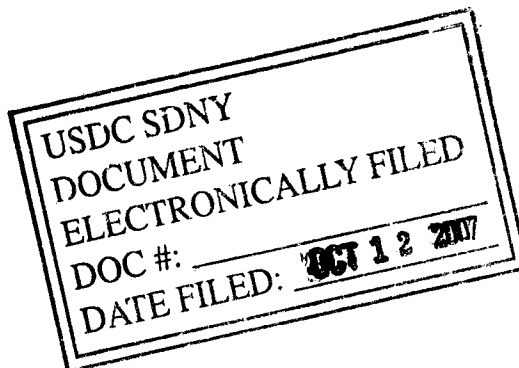
was found guilty on count(s)

after a plea of not guilty.

07 CRIM 954

ACCORDINGLY, the Court has adjudicated that the defendant is guilty of the following offense(s)

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 U.S.C. § 846	Conspiracy to Possess with Intent to Distribute Cocaine	10/07/2003	1



The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s):

X Count(s) 2 of the Indictment

is dismissed on motion of the United States.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court or United States Attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Judgment: 04/30/2004

Signature of Judicial Officer

LEONARD DAVIS

UNITED STATES DISTRICT JUDGE

Name and Title of Judicial Officer

Date

A TRUE COPY I CERTIFY
DAVID J. MALAND, CLERK
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
By: *[Signature]*

Defendant: **CRAIG HECTOR RIVERA**

Case No: **6:03CR00083-001**

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 48 month(s)

X The court makes the following recommendations to the Bureau of Prisons:
Defendant participate in the 500-Hour Drug Treatment Program, if eligible.

Defendant NOT be designated to FCI in Ohio nor New York for security reasons, but be designated to an FCI as near to New York as possible, if eligible.

X The defendant is remanded to the custody of the United States Marshal.
The defendant shall surrender to the United States Marshal for this district.

at a.m./p.m. on

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons.

before 2 p.m. on

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on 6-29-04 to ALW at

PA with a certified copy of this judgment.

United States Marshal

By: Deputy U.S. Marshal

AQ 245A (Rev. 03/03) Judgment in a Criminal Case Sheet 3 - Supervised Release

Defendant: **CRAIG HECTOR RIVERA**Judgment - Page 3 of 5Case No: **6:03CR00083-001****SUPERVISED RELEASE**Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 year(s)

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance.

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

X The defendant shall not possess a firearm, destructive device, or any other dangerous weapon. (Check, if applicable.)

The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)

The defendant shall register with the state sex offender registration agency in any state where the defendant resides, is employed, carries on a vacation, or is a student, as directed by the probation officer. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the following standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional terms on the attached page.

See additional terms on next page(s)...

STANDARD CONDITIONS OF SUPERVISION

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instruction of the probation officer;
- 4) The defendant shall support his or her dependents and meet other family responsibilities;
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) The defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or paraphernalia related to such substances, except as prescribed by a physician;
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) The defendant shall not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the court; and
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 246B (Rev. 03/03) Judgment in a Criminal Case Sheet 3 - Supervised Release

Judgment - Page 3b. 1 of 5

Defendant: **CRAIG HECTOR RIVERA**

Case No: **6:03CR00083-001**

Additional Terms of Supervised Release

The defendant shall provide the probation officer with access to any requested financial information for purposes of monitoring his efforts to obtain and maintain lawful employment.

The defendant shall participate in a program of testing and treatment for drug abuse, under the guidance and direction of the U.S. Probation Office, until such time as the defendant is released from the program by the probation officer.

Defendant: **CRAIG HECTOR RIVERA**Case No: **6:03CR00083-001** **CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Total Restitution</u>
<u>Totals:</u>	100.00	0.00	0.00

The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* AO 245C will be entered after such determination.

The defendant shall make restitution (including community restitution) to the following victims in the amounts listed below:

If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. 3664(i), all nonfederal victims must be paid in full prior to the United States receiving payment.

<u>Name of Payee</u>	<u>* Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
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<u>Totals:</u>	0.00
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If applicable, restitution amount ordered pursuant to plea agreement 0.00

The defendant shall pay interest on any fine of more than \$2,500, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. 3612(f). All of the payment options on Sheet 6 may be subject to penalties for default and delinquency pursuant to 18 U.S.C. 3612(g).

The court has determined that the defendant does not have the ability to pay interest. It is ordered that:

The interest requirement is waived for the _____ fine and/or _____ restitution

The interest requirement for the _____ fine and/or _____ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of the Title 18 for offenses committed on or after September 13, 1994 but before April 23, 1996.

AO 245B (Rev. 0303) Judgment in a Criminal Case Sheet 6- Criminal Monetary Penalties

Defendant: **CRAIG HECTOR RIVERA**
 Case No: **6:03CR00083-001**

Judgment - Page 5 of 5**SCHEDULE OF PAYMENTS**

Having assessed the defendant's ability to pay, payment of the total fine and other criminal monetary penalties shall be as follows:

- A ☒ Lump sum payment of at least \$100.00 due immediately, balance due not later than _____; or
- in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, ☐ E, or ☐ F below); or
- C ☐ Payment in _____ (e.g. equal, weekly, monthly, quarterly) installments of at least \$0.00 over a period of _____ (e.g. months or years) to commence _____ (e.g. 30 or 60 days) after the date of this judgment; or
- D ☐ Payment to begin immediately. Any amount that remains unpaid when the defendant is placed on supervision is to be paid on a monthly basis at the rate of at least 10% of the defendant's monthly gross income, to be changed during supervision if needed, based on the defendant's changed circumstances, pursuant to 18 U.S.C. ☐ 3664(k).
- E ☐ Payment in _____ (e.g. equal, weekly, monthly, quarterly) installments of at least 0.00 over a period of _____ (e.g. months or years) to commence _____ (e.g. 30 or 60 days) after release from imprisonment to a term of supervision; or
- F ☐ Special instructions regarding the payment of criminal monetary penalties:

All criminal monetary penalty payments are to be made to the U.S. District Court, Fine & Restitution Section, P.O. Box 570, Tyler, TX 75710, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

The defendant will receive credit for all payments made toward any criminal monetary penalties imposed

☐ Joint and Several

- ☐ The defendant shall pay the cost of prosecution:
- ☐ The defendant shall pay the following court costs:
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment; (2) restitution principal; (3) restitution interest; (4) fine principal; (5) community restitution; (6) fine interest; (7) penalties; (8) cost, including cost of prosecution and court costs.